

MAY 03 2006

Serial No.: 10/003,198
Page 1 of 2IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Jeffrey A. Erdarb
Title : Measuring Device
Serial No. : 10/003,198
Confirmation No. : 4144
Filed : Oct. 31, 2001
Examiner : Amy R. Cohen
Group Art Unit : 2859

I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office Central Fax Number (571)273-8300 on the date shown below

Name: Frances Doyle
Signature: Frances Doyle
Date: May 3, 2006

May 3, 2006

Mail Stop: PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO REVIVE UNINTENTIONALLY ABANDONED APPLICATIONPURSUANT TO 37 CFR § 1.137(b)

To the Commissioner:

Applicant received a Notice of Abandonment dated May 4, 2004 indicating that the above-referenced patent application became abandoned for failure to respond to the Office Action dated October 22, 2003. Applicant hereby petitions the commissioner to revive the current application on the ground that the abandonment was unintentional.

It is hereby submitted the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional.

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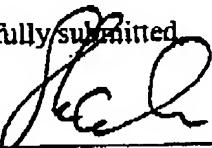
As required by 37 C.F.R. § 1.137(b)(1), enclosed herewith is an Amendment in reply to the Office Action dated October 22, 2003.

In view of the foregoing, Applicant respectfully petitions the above-referenced application be revived and the enclosed Amendment entered and examined.

The Commissioner is hereby authorized to charge the fee required by 37 C.F.R. § 1.137(b)(2) and as set forth in 37 C.F.R. § 1.17(m) to Deposit Account No. 50-1290. It is believed that no other fees are due with this petition. However, if any other fees are due with this paper, the Commissioner is hereby authorized to charge such fee(s) to Deposit Account No. 50-1290.

Please direct any inquiries regarding this petition to the Applicant's undersigned attorney, who may be reached directly by telephone at (212)940-8712.

Respectfully submitted


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